

RESOLUTION

of the

Tompkins County Soil and Water Conservation District

Resolution No.:2016-28

Date: 5/23/2016

*District submission of NYSDEC Aquatic Pesticide Permit Applications for 2016 Aquathol-K, Sonar Genesis, and Sonar H4C applications in Cayuga Inlet, Connected Tributaries, Fall Creek, and southern Cayuga Lake in Ithaca, NY.*

**WHEREAS**, Hydrilla has infested areas of the Cayuga Inlet, connecting tributaries, Fall Creek, and the southeast end of Cayuga Lake, and the Hydrilla Task Force has elected to use herbicide treatments to control the spread of this invasive aquatic plant; and

**WHEREAS**, the District has contracted with Sölitude Lake Management for 2016 hydrilla treatments; and

**WHEREAS**, Sölitude Lake Management is a NYSDEC Registered Pesticide Applicator to apply Aquatic Herbicides in waters of the State of New York; and

**WHEREAS**, the NYSDEC Bureau of Pest Management is responsible for the administration of the Aquatic Pesticide Permit Program in New York, under the authority granted by Article 15-0313(4) of the Environmental Conservation Law (ECL) and Title 6 of the Official Compilation of Codes, Rules and Regulations of the State of New York (6 NYCRR) Parts 327, 328 and 329

**WHEREAS**, ECL Article 15 states that an Aquatic Pesticide Permit is required for the direct application of an aquatic pesticide(s) to surface waters of the State of an acre or more in size; and

**WHEREAS**, the Tompkins County Soil and Water Conservation District will act as agent of the riparian owners (City of Ithaca and the NYS Canal Corporation) and obtain the appropriate Aquatic Pesticide Permits before Sölitude Lake Management is allowed to conduct herbicide applications in the Cayuga Lake Watershed; and

**WHEREAS**, the Tompkins County Soil and Water Conservation District will obtain the appropriate NYSDEC Wetlands and NYS Canal Corporation permits before Sölitude Lake Management is allowed to conduct herbicide applications in the Cayuga Lake Watershed; and

**WHEREAS**, the Tompkins County Soil and Water Conservation District, acting as agent of the riparian owners (City of Ithaca and the NYS Canal Corporation) and in conjunction with the Hydrilla Task Force, will ensure that all necessary riparian owner and public notification requirements of the Aquatic Pesticide Permits are fulfilled before/after herbicide treatments; and

**WHEREAS**, the District will pay appropriate permit application fee(s); and,

**WHEREAS**, the Tompkins County Soil and Water Conservation District will submit for payment of Aquatic Pesticide Permit application fee(s) to Finger Lakes – Lake Ontario Watershed Protection Alliance (FLOWPA) via the Oswego County Soil and Water Conservation District who administers a Federal grant to reimburse the Hydrilla Eradication efforts in Tompkins County;

**NOW THEREFORE BE IT RESOLVED**, by the Tompkins County Soil and Water Conservation District Board of Directors that,

- 1.) The Tompkins County Soil and Water Conservation District shall submit all necessary NYSDEC Aquatic Pesticide Permit and NYSDEC Wetland Permit and NYS Canal Corporation Permit applications, in order to apply Aquathol-K, Sonar Genesis, and Sonar H4C in: Cayuga Inlet (Allan Treman Marina, Cascadilla Creek, Linderman Creek, Sixmile Creek, Cayuga Inlet main channel), Fall Creek (golf course lagoon, Fall Creek Cove, Stewart Park Pond and feeder stream, wetland NW of golf course, and main channel of Fall Creek), and the southern end of Cayuga Lake.
- 2.) The Board Chair is able to sign for the permit applications.
- 3.) The Board Chair, District Treasurer or Assistant Treasurer is authorized to pay for any associated fees pertaining to permit applications. These fees will be approved on the abstract of the following months District Board of Directors Regular Meeting.
- 4.) This resolution will take effect immediately.

Board Chairman Signature \_\_\_\_\_

Approvals:

Dan Carey: Present- Y( ) N ( ) , Vote- Y( ) N( )

Alan Teeter: Present- Y( ) N ( ) , Vote- Y( ) N( )

David McKenna: Present- Y( ) N ( ) , Vote- Y( ) N( )

Jim Dennis: Present- Y( ) N ( ) , Vote- Y( ) N( )

Aaron Ristow: Present- Y( ) N ( ) , Vote- Y( ) N( )